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6 Attorneys for JPMorgan Chase Bank, N.A.,  
as acquirer of certain assets and liabilities of  
7 Washington Mutual Bank from the Federal Deposit  
Insurance Corporation acting as receiver, and  
8 California Reconveyance Company

9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE DISTRICT OF ARIZONA**

11 George M Walker and Diane W. Walker,  
12 husband and wife,

13 Plaintiffs,

14 v.

15 Washington Mutual Bank, F.A.; JPMorgan  
Chase Bank N.A.; California Reconveyance  
16 Company; Security Title Agency,

17 Defendants.

No. CV11-0584-PHX-SRB

**RESPONSE TO COURT'S  
ORDER TO SHOW CAUSE AND  
MOTION TO ENLARGE TIME  
TO ANSWER OR DEFEND FIRST  
AMENDED COMPLAINT**

18 Defendants JPMorgan Chase Bank, N.A. ("Chase"), as acquirer of certain assets and  
19 liabilities of Washington Mutual Bank ("WaMu") from the Federal Deposit Insurance  
20 Corporation ("FDIC") acting as receiver, and California Reconveyance Company ("CRC")  
21 respectfully submit this response to the Court's Order to Show Cause (Dkt. No. 27) and  
22 simultaneously move for an enlargement of time to answer or defend the First Amended  
23 Complaint. This response and motion are supported by the following memorandum of points  
24 and authorities, and the Court's record, which are incorporated herein.

**MEMORANDUM OF POINTS AND AUTHORITIES**

Plaintiffs served the original Complaint on these defendants on April 1, 2011. (Dkt. Nos. 7-8) They filed their First Amended Complaint ("FAC") on April 6, 2011. (Dkt. No. 9) Notwithstanding the fact that there is a mailing certificate attached to the FAC, these defendants have not been able to locate any record of having received the FAC and they were unaware of the filing of the FAC until counsel received this Court's order of June 6, 2011. (Dkt. No. 27)

Many of the issues raised in the original Complaint also appear in the FAC, but the FAC makes claims not included in the Complaint. Therefore, some aspects of the pending Motion to Dismiss are not moot, but because the amendments made in the FAC are substantial, applying the pending Motion to Dismiss to the FAC would be a confusing and inefficient exercise.

Therefore, Defendants respectfully move the Court for an enlargement of time to answer or defend the FAC until June 30, 2011. Because undersigned counsel is scheduled to be out of the office next week, when he would otherwise be able to analyze the FAC and respond to it, June 30 would provide a reasonable time in which answer or otherwise defend.

RESPECTFULLY SUBMITTED this 8<sup>th</sup> day of June, 2011.

**MAYNARD CRONIN ERICKSON  
CURRAN & REITER, P.L.C.**

By /s/Douglas C. Erickson  
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as acquirer of certain assets and liabilities of  
Washington Mutual Bank from the Federal  
Deposit Insurance Corporation acting as  
receiver, and California Reconveyance  
Company

1 **ORIGINAL** of the foregoing e-filed this 8<sup>th</sup> day of June, 2011, with:

2 Clerk of the Court  
3 United States District Court  
4 401 W. Washington St.  
5 Phoenix, AZ 85003

6 **COPY** of the foregoing delivered via ECF this 8<sup>th</sup> day of June, 2011, to:

7 Honorable Susan R. Bolton  
8 United States District Court  
9 401 W. Washington St.  
10 Phoenix, AZ 85003

11 **COPY** of the foregoing mailed this 8<sup>th</sup> day of June, 2011, to:

12 George and Diane Walker  
13 3964 E. Expedition Way  
14 Phoenix, AZ 85050  
15 Plaintiffs pro se

16 By /s/Stacey Tanner